

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH BONNELL, JR.,

Defendant.

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Case No. 8:06CR33

ORDER

This case is before the court for hearing on the defendant Joseph Bonnell, Jr.'s Motion for Rule 17.1 Conference (#11). Michael A. Norris, Assistant United States Attorney, appeared for the plaintiff. David Stickman, Federal Public Defender, appeared for the defendant, who was present. The motion is granted and the Court's April 25, 2006 Order of Progression (#9) is amended as follows:

IT IS ORDERED:

1. The defendant shall file pretrial motions on or before **June 9, 2006**, and that time limit will not be extended by the court except for good cause shown. In the event that any motions are filed seeking bills of particulars or discovery of facts, documents, or evidence, as part of the motion **the moving party shall** recite that counsel for the movant has conferred with opposing counsel regarding the subject of the motion in an attempt to reach agreement on the contested matters without the involvement of the court and that such attempts have been unsuccessful. The motion shall further state the dates and times of such conferences;

2. If any pretrial motion is filed by either side, the supporting brief required by the provisions of NELR 7.4 shall be simultaneously filed. Opposing briefs shall be filed **within**

five (5) working days thereafter. The submission of briefs may be delayed until after an evidentiary hearing on the motion **but only** upon a written request made within the original time to submit a brief **and** upon order of the court;

3. By **August 18, 2006**, the defendant shall complete all discovery, including discovery to be acquired by subpoena.

4. A Rule 17.1 Conference will be held on **September 25, 2006 at 1:30 p.m.**

5. Trial of this case before Senior United States District Judge Lyle E. Strom, is set for **9:00 a.m., on October 10, 2006**, or as soon thereafter as the case may be called.

6. The defendant, after being informed in open court of his right to speedy trial, waived his right to speedy trial. The time between today's date and the trial date of October 10, 2006, is excluded for purposes of computing the limits under the Speedy Trial Act. The Court finds that failure to grant defendant's request to enlarge time would result in a miscarriage of justice. **See** 18 U.S.C. §§ 3161(h)(l), (h)(8)(A) and (h)(8)(B).

Dated this 19th day of May 2006.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge